IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

SECOND APPEAL NO. 166 OF 2007

Kumar Mahadeo Kope and another .. Appellants
v/s.
Revansidha Shankar Kope and others .. Respondents

Mr. Nitesh S. Nevshe for the appellants.

CORAM : A.M. KHANWILKAR, J.
DATED : 5TH JULY, 2007

P.C.

Heard counsel for the appellants. I see no reason to deport from the concurrent view taken by the two courts below. On the finding of fact recorded by the courts below that the suit property was ancestral and joint family property, the question of Prabhu Ramchandra Kope bequeathing the said property by will as his absolute property, does not arise. Besides, even on the factum of execution of the will, the appellant was not able to support that position as the witnesses did not support the claim of defendant No.5. That will was attested by them. Taking any view of the matter, no substantial question of law arises for consideration. Dismissed.

(A.M. KHANWILKAR, J.)